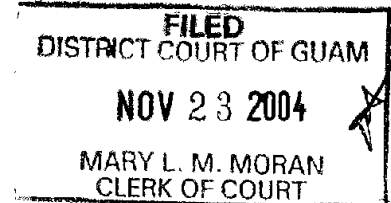


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IN THE DISTRICT COURT OF GUAM
TERRITORY OF GUAM



JAY MERRILL, on his own behalf and on
behalf of all other similarly situated voters
desirous of casting a vote in favor of
Proposal A at a fair and legal election,

Plaintiffs,

vs.

The Guam Election Commission; Gerald
A. Taitano, and in his capacity as the
Executive Director of The Guam Election
Commission, I Mina' Bente Siete Na
Lihselaturan Guahan (The 27th Guam
Legislature); Felix P. Camacho, in his
official capacity as the Governor Of Guam.

Defendants.

CIVIL CASE NO. CIV04-00046

DECLARATION OF PETER S. AGUON

I, PETER S. AGUON, do hereby declare as follows:

1. I am the Mayor of Barrigada.
2. I have personal knowledge of the matters stated herein and if called, could and would testify competently thereto.
3. The Guam Election Commission, the Executive Director of the Guam Election Commission, and the Legislature did not supply the Barrigada Mayor's office with a complete copy of Proposal A before or during the November 2, 2004 election. A complete copy of Proposal A was not posted at the Barrigada Mayor's office before or during the November 2,

ORIGINAL

Declaration of Peter S. Aguon
Merrill v. the Guam Election Commission, et al.
Civil Case No. CIV04-00046
Page 2

2004 election. There were no complete copies of Proposal A available to any registered voters at the Barrigada Mayor's office before or during the November 2, 2004 election.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15 day of November, 2004, in Hagåtña, Guam.



PETER S. AGUON